

Report Date: October 30, 2008

PROB 12B  
(7/93)**United States District Court**

for the

**Eastern District of Washington**FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

NOV 12 2008

JAMES R. LARSEN, CLERK  
DEPUTY  
SPOKANE, WASHINGTON**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender***(Probation Form 49, Waiver of Hearing is Attached)*

Name of Offender: Ellreese N. Daniels

Case Number: 2:07CR00016-001

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle

Date of Original Sentence: 8/20/2008

Type of Supervision: Probation

Original Offense: Making and Delivering a False  
Statement in Official Writing, 18 U.S.C. § 1018

Date Supervision Commenced: 8/20/2008

Original Sentence: Probation - 36 Months

Date Supervision Expires: 8/19/2011

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**PETITIONING THE COURT**

To modify the conditions of supervision as follows:

- 15 You shall participate in the home confinement program for 90 days. You shall abide by all the requirements of the program, which will include electronic monitoring or other location verification system. You shall pay all or part of the costs of the program based upon your ability to pay. You are restricted to your residence at all times except for employment, education, religious services, medical, substance abuse, or mental health treatment, attorney visits, court appearances, court-ordered obligations, or other activities as pre-approved by the supervising probation officer.

**CAUSE**

On August 20, 2008, the offender was sentenced to a 3-year term of probation for the offense of making and delivering a false statement in an official writing. One of the special conditions ordered by the Court (special condition number 19) ordered the offender to serve a 90-day term in a work release facility near his pending employment at Stevens Pass, a ski resort above Leavenworth, Washington. The offender was to report to said facility no sooner than November 4, 2008, when notified by the United States Marshal's Service.

The probation officer has been informed by the U.S. Marshal's Service that they have no contract with any work release facility in this district. The residential re-entry centers at Gieger in Spokane and Franklin County are contracted through the Bureau of Prisons and utilized by U.S. Probation are the only work release facilities available in the Eastern District of Washington. Both of these facilities are too distant from the offender's employment at Steven's Pass to be a feasible placement.

To resolve this issue, the probation officer is proposing the Court modify the conditions of probation to include a 90-day term of home confinement, with electronic monitoring in lieu of the condition for 90 days of work release. A home confinement condition will allow the offender to remain employed, while restricting his movements and

Prob 12B

**Re: Daniels, Ellreese N.**

**October 30, 2008**

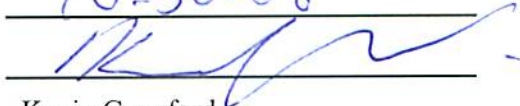
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activities to those indicated in the condition, which is a level similar to a work release placement. The offender has agreed to this modification in lieu of the work release condition and has signed a waiver, which is attached for the Court's review. The probation officer believes the proposed modification is a workable alternative to the previously ordered work release condition and provides the same general level of sanction.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on:

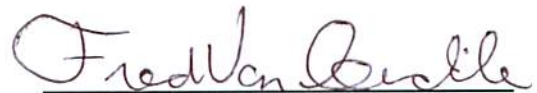
10-30-08

  
Kevin Crawford  
U.S. Probation Officer

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## THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other



Signature of Judicial Officer

November 7, 2008

Date



# United States District Court

Eastern District of Washington

## Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision


I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:


To modify the conditions of supervision as follows:

- 15 You shall participate in the home confinement program for 90 days. You shall abide by all the requirements of the program, which will include electronic monitoring or other location verification system. You shall pay all or part of the costs of the program based upon your ability to pay. You are restricted to your residence at all times except for employment, education, religious services, medical, substance abuse, or mental health treatment, attorney visits, court appearances, court-ordered obligations, or other activities as pre-approved by the supervising probation officer.

Witness:

  
Kevin Crawford  
U.S. Probation Officer

Signed:

  
Ellreese N. Daniels  
Probationer or Supervised Releasee

10-30-08  
Date